

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP NO.S-813/2026

Date

Order with signature of Judge

1. For order on office objection No.1 and 5 as at-A
2. For hearing of CMA No.5596/26
3. For hearing of main case

16.09.2026

Mr. Imtiaz Ali Shah advocate for petitioner

Ms. Amna Ansari, APG alongwith SIP Muneer Ahmed, PS Mubina Town.

Mr. Kelash Waswani, AAG.

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Learned counsel for the petitioner through instant petition

seeks following reliefs:-

- i. Declare that the Petitioners are entitled to protection of their fundamental rights guaranteed under Articles 4, 9, 10, 10-A and 14 of the Constitution of the Islamic Republic of Pakistan, 1973, and that the Respondents, particularly Respondents No.5 to 7, are bound to act strictly in accordance with law and due process while dealing with the Petitioners.
- ii. Direct Respondents No.1 to 7 to provide complete details of any FIR, complaint, inquiry, investigation, application or proceedings initiated, registered or contemplated against any of the Petitioners at the instance of Respondents No.8 to 11 or their agents/associates, and to place the same before this Honourable Court.
- iii. Direct the Respondents No.5 to 7 not to harass, humiliate, intimidate or subject the Petitioners to any unlawful coercive action in connection with the alleged liabilities, cheques or transactions referred to in the petition, particularly where the Petitioners have not themselves issued, signed or authorized the impugned cheques.
- iv. Direct the Respondents No.5 to 7 that no Petitioner shall be arrested merely on the basis of any accusation, application, complaint or FIR, without first conducting a lawful and fair investigation and without the existence of sufficient material connecting the concerned Petitioner with the commission of a cognizable offence, in accordance with law and the principles laid down by the Honourable Supreme Court in *Sughran Bibi v. The State* (PLD 2018 SC 595).
- v. Direct the Respondents to afford protection to the Petitioners from illegal arrest and harassment, and to ensure that no coercive action is taken against them except strictly in accordance with the requirements of the

Criminal Procedure Code, 1898, the Constitution and other applicable law.

- vi. Direct the Respondents to refrain from mechanically arresting any of the Petitioners merely because their names may subsequently appear in any FIR or complaint, and to exercise the power of arrest only upon lawful application of mind to the facts, circumstances and available material in accordance with law.
- vii. Direct the Respondents to ensure that the Petitioners are not subjected to repeated unnecessary calls, visits, intimidation or humiliation by police officials, and that, if their presence is genuinely required for any lawful investigation, they shall be called and dealt with strictly in accordance with law.
- viii. Grant interim/ad-interim protection to the Petitioners during the pendency of this Constitutional Petition, and restrain Respondents No.5 to 7 from arresting or subjecting the Petitioners to any coercive action in connection with the subject matter of the petition, except with due process of law and after obtaining appropriate orders from the competent Court, where so required by law.
- ix. Grant any other, better, appropriate and equitable relief which this Honourable Court may deem just and proper in the circumstances of the case.
- x. Award costs of the petition.”

Mr. Fahad Hussain files Vakalatnama on behalf of respondent No.11 and Mr. Muhammad Yaseen files Vakalatnama on behalf of Hamesh Kumar, taken on record. They state at bar that respective respondents shall not cause any harassment to the petitioner. Official respondents have filed their comments/reply which are taken on record, wherein it is undertaken that no harassment would be caused to the petitioner.

Learned AAG and APG submit that in terms of prayer clause official respondents shall conduct themselves strictly in accordance with law and no harassment would be caused to the petitioner. Counsel for the petitioner seeks disposal of the instant petition in view of the reply filed by the official respondents and statement made by the AAG and APG. Order accordingly.

This petition stands disposed of in the above terms alongwith pending application.

J U D G E